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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
RICARDO GARCIA LOPEZ,)
a/k/a Apolinar Mendoza Garcia,)
a/k/a Javier Garcia Sanchez,)
)
Defendant.)
_____)

NO. CR 11-0102 RS

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On May 17, 2011, the parties in this case appeared before the Court. At that time, the Court set the matter to June 21, 2011. The parties have agreed to exclude the period of time between May 17, 2011 and June 21, 2011, from any time limits applicable under 18 U.S.C. § 3161. The parties have represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial.

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1 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings consistent with this
2 agreement.

3 SO STIPULATED:

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5 MELINDA HAAG
United States Attorney

6
7 DATED: May 19, 2011

8 /s/
LOWELL C. POWELL
Special Assistant United States Attorney

9
10 DATED: May 19, 2011

11 /s/
BARRY PORTMAN
Attorney for RICARDO GARCIA LOPEZ

[PROPOSED] ORDER

For the reasons stated above and at the May 17, 2011 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from May 17, 2011 through June 21, 2011 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure to grant the requested exclusion of time would unreasonably deny counsel for the defendant and for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and deny the parties continuity of counsel. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 5/24/11



THE HONORABLE RICHARD SEEBORG
United States District Judge